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Permit No.: WA-002233-1  
Issuance Date: November 14, 2005  
Effective Date: January 1, 2006  
Expiration Date: December 31, 2010

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WASTE DISCHARGE PERMIT NO. WA-002233-1

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
CENTRAL REGIONAL OFFICE

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.

City of Roslyn Publicly-Owned Treatment Works  
201 South First Street  
Roslyn, WA 98941

Plant Location:

Old #5 Mine Road  
Roslyn, WA 98941

Receiving Water:

Crystal Creek, tributary to the Yakima River

Water Body I.D. No.:

WA-39-1037

Discharge Location:

Latitude: 47° 12' 07" N

Longitude: 120° 57' 03" W

Plant Type:

Facultative stabilization ponds, secondary,  
Class 1, chlorination

is authorized to discharge in accordance with the special and general conditions that follow.

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G. Thomas Tebb, L.E.G.  
Section Manager  
Water Quality Program  
Central Region Office  
Washington State Department of Ecology

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**SUMMARY OF PERMIT REPORT SUBMITTALS**

<b>Permit Section</b>	<b>Submittal</b>	<b>Frequency</b>	<b>First Submittal Due Date</b>
S3.A.	Discharge Monitoring Report	Monthly, no later than the 15 <sup>th</sup> day of the month following the completed reporting period	February 15, 2006
S3.E.	Noncompliance Notification	As necessary	As necessary
S4.B.	Notification of new or altered sources	As necessary	As necessary
S4.C.	Kittitas Co. Water District #2 and The City of Roslyn Collection System Annual I&I & Progress Reports	Annually	June 30, 2006
S5.C.	Notice of Short-term Reduction in Treatment Level	As necessary	As necessary
S5.F.	Report on Construction- or Maintenance-related Bypass	As necessary	As necessary
S5.G.	Updated Operation and Maintenance Manual Update	As necessary	As necessary
G1.	Signature Authorization/Delegation	As necessary	As necessary
G7.	Application for Permit Renewal	1/permit cycle	December 31, 2009

## SPECIAL CONDITIONS

### S1. EFFLUENT LIMITATIONS

#### A. Effluent Limitations

This permit contains interim and final effluent limits, detailed in this Special Condition, and an associated Schedule of Compliance, detailed in Special Condition S8. In the event the City has completed the project to discharge its wastewater to the City of Cle Elum Regional POTW and has ceased its discharge to Crystal Creek, the City shall consult with the Department to cancel this permit.

#### 1. Interim Limitations

Beginning on **January 1, 2006** and lasting through **November 30, 2006**, the Permittee is authorized to discharge treated municipal wastewater to Crystal Creek at the permitted location, subject to the following limitations:

INTERIM EFFLUENT LIMITATIONS <sup>a</sup> : OUTFALL # 001			
Parameter	Monthly Average <sup>b</sup>	Weekly Average	Maximum Daily <sup>c</sup>
Biochemical Oxygen Demand <sup>b</sup> (5-day)	20 mg/L; 234 lbs/day	30 mg/L; 350 lbs/day	NA
Total Suspended Solids	35 mg/L; 409 lbs/day	53 mg/L; 619 lbs/day	N/A
Fecal Coliform Bacteria	100 colonies/100 mL	200 colonies/100 mL	N/A
Total Ammonia	N/A	N/A	12.7 mg/L; 58 lbs/day
Total Residual Chlorine	N/A	N/A	0.5 mg/L <sup>d</sup> ; 5.8 lbs/day
Ph	Shall not be outside the range 6.0 to 9.0.		
<sup>a</sup> The monthly and weekly averages are based on the arithmetic mean of the samples taken with the exception of fecal coliform bacteria, which is based on the geometric mean.			
<sup>b</sup> The monthly average effluent concentrations for BOD <sub>5</sub> shall not exceed 32% of the respective monthly average influent concentrations.			
<sup>c</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.			
<sup>d</sup> The method detection level (MDL) for chlorine is 18 ug/L using EPA method 330.5 (DPD-FAS) from 40 CFR Part 136. Average values shall be calculated as follows: measurements below the MDL = 0; and measurements greater than the MDL = the measurement.			

## 2. Final Limitations

Beginning on **December 1, 2006** and lasting through **December 31, 2010**, the Permittee is authorized to discharge treated municipal wastewater to the receiving water at the permitted location, subject to the following limitations:

	EFFLUENT LIMITATIONS <sup>a</sup> : OUTFALL # 001		
Parameter	Monthly Average <sup>b</sup>	Weekly Average	Maximum Daily <sup>c</sup>
Biochemical Oxygen Demand <sup>b</sup> (5-day)	11 mg/L;	17 mg/L	113 lbs/day
Total Suspended Solids	32 mg/L; 374 lbs/day	48 mg/L; 560 lbs/day	N/A
Fecal Coliform Bacteria	59 colonies/100 mL	118 colonies/100 mL	N/A
Total Ammonia	N/A	N/A	2.40 mg/L; 9.7 lbs/day
Total Residual Chlorine	N/A	N/A	0.02 mg/L <sup>d</sup> ; 0.08 lbs/day
pH	Shall not be outside the range 6.0 to 9.0.		
<sup>a</sup> The monthly and weekly averages are based on the arithmetic mean of the samples taken with the exception of fecal coliform bacteria, which is based on the geometric mean.			
<sup>b</sup> The monthly average effluent concentrations for BOD <sub>5</sub> shall not exceed 32% of the respective monthly average influent concentrations.			
<sup>c</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.			
<sup>d</sup> The method detection level (MDL) for chlorine is 18 ug/L using EPA method 330.5 (DPD-FAS) from 40 CFR Part 136. Average values shall be calculated as follows: measurements below the MDL = 0; and measurements greater than the MDL = the measurement.			

## B. Mixing Zone Authorization

The Permittee shall not be authorized a mixing (dilution) zone during the duration of this permit.

## S2. MONITORING REQUIREMENTS

### A. Monitoring Schedule

Beginning on **January 1, 2006** and lasting through **December 31, 2010**, the Permittee shall monitor the wastewater according to the following schedule:

Tests	Sample Point	Sampling Frequency	Sample Type
Flow, MGD	Influent <sup>1</sup>	Continuous <sup>2</sup>	Measurement
	Final Effluent <sup>3</sup>	Continuous	Measurement
Total Residual Chlorine, mg/L	Final Effluent	Daily <sup>4</sup>	Grab
Total Residual Chlorine, lbs/day	Final Effluent	Daily	Calculation <sup>5</sup>
Temperature, °C	Final Effluent	Daily	Grab
pH	Final Effluent	Daily	Grab <sup>6</sup>
BOD <sub>5</sub> , mg/L <sup>7</sup>	Influent	2/month <sup>8</sup>	24-hr. composite <sup>9</sup>
BOD <sub>5</sub> , mg/L	Final Effluent	2/month	24-hr. composite
BOD <sub>5</sub> , lbs/day	Influent	2/month	Calculation
BOD <sub>5</sub> , lbs/day	Final Effluent	2/month	Calculation
BOD <sub>5</sub> , % removal	Final Effluent	2/month	Calculation
TSS, mg/L	Influent	2/month	24-hr. composite
TSS, mg/L	Final Effluent	2/month	24-hr. composite
TSS, lbs/day	Influent	2/month	Calculation
TSS, lbs/day	Final Effluent	2/month	Calculation
TSS, % removal	Final Effluent	2/month	Calculation
Fecal Coliform, #/100 ml <sup>10</sup>	Final Effluent	2/month	Grab
Total Ammonia, mg/L	Final Effluent	1/week	Grab
Total Ammonia, lbs/day <sup>11</sup>	Final Effluent	1/week	Calculation
Pond Depth, feet	Each Cell	1/month <sup>12</sup>	Measurement
Sludge Depth, feet	Each Cell	1/year <sup>13</sup>	Measurement

Tests	Sample Point	Sampling Frequency	Sample Type
Temperature, pH, Flow, BOD, TSS, Fecal Coliforms, Total Residual Chlorine Requirements	Receiving Water	See Special Condition S8	
<sup>1</sup> “Influent” means the raw sewage which enters the POTW.			
<sup>2</sup> "Continuous" means without interruption throughout the operating and discharging hours of the Permittee's facility, except for infrequent shutdowns for maintenance.			
<sup>3</sup> “Final Effluent” means wastewater that is exiting, or has exited, the last treatment operation at the POTW.			
<sup>4</sup> “Daily” means once each standard work day, Monday thru Friday, except holidays.			
<sup>5</sup> Calculation: (mg/l ) X (flow in MGD) X (8.34) = lbs/day.			
<sup>6</sup> “Grab” means an individual sample collected in less than 15 minutes.			
<sup>7</sup> Samples for BOD <sub>5</sub> analysis may be taken before or after the disinfection process. If taken after, the sample must be dechlorinated and reseeded.			
<sup>8</sup> “2/month” means twice every calendar month, with at least 7 days between samplings.			
<sup>9</sup> “24-hr composite” means a series of, at least, four individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time, and combined into a single container to be subsequently analyzed as one sample.			
<sup>10</sup> Sampled concurrently with a Total Residual Chlorine sample.			
<sup>11</sup> Calculated concurrently with each Total Ammonia sample.			
<sup>12</sup> “1/month” means once per month.			
<sup>13</sup> “1/year” means once every calendar year.			

## B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, *including representative sampling of any unusual discharge* or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

## C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least 3 years.

**D. Laboratory Accreditation**

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited.

**E. Reduction of Monitoring Frequencies**

The Permittee may request the Department review the data to determine whether a reduction of the sampling frequency is warranted after 12 months of monitoring. The request shall: (1) be in written form, (2) clearly state the parameters for which the reduction in monitoring is being requested, and (3) clearly state the justification for the reduction. Any request for reduction in monitoring shall be granted at the Department's discretion and accomplished through an Administrative Order or permit modification.

**S3. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

**A. Reporting**

The first monitoring period begins on **January 1, 2006**. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the

completed reporting period, unless otherwise specified in this permit. The report shall be sent to:

Permit Data Systems Manager  
Department of Ecology  
Central Regional Office  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

**B. Records Retention**

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

**C. Recording of Results**

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

**D. Additional Monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

**E. Noncompliance Notification**

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Immediately notify the Department of the failure to comply within 24 hours of detection;
3. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
4. Submit a detailed written report to the Department within 30 days (five days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

#### **S4. PREVENTION OF FACILITY OVERLOADING**

##### **A. Design Criteria**

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded.

Average daily dry weather flow	0.22 MGD
Average daily wet weather flow	0.44 MGD
Peak Flow	1.5 MGD
Monthly average BOD <sub>5</sub>	192 lbs/day
Population Equivalent <sup>1</sup>	1070 persons

Source: City of Roslyn Wastewater Treatment Facilities Operation and Maintenance Manual, June 1990, Gray & Osborne, page 1-4.

<sup>1</sup>City of Roslyn Final Pre-Design Report Schedule "B" Wastewater Treatment Plant Modification, February 1987, G&O No. 86534, page II-5.

##### **B. Notification of New or Altered Sources**

The Permittee shall submit written notice to the Department whenever any new discharge or increase in volume or change in character of an existing discharge into the sewer is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the collection or treatment system; (2) would increase the total system flow or influent waste loading by more than 10 percent; (3) is not part of an approved general sewer plan or approved plans and specifications; or would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the system's ability to adequately transport and treat the added flow and/or wasteload.

### **C. Infiltration and Inflow Evaluation**

Progress reports shall be submitted annually that demonstrate the effectiveness of the remediation work to reduce the infiltration and inflow (I&I) to the collection system. Included in this report will be the annual progress reports required for the KCWD #2 collection system. The KCWD #2 reports shall include quarterly sanitary sewer flows, maintenance reviews, system conditions and progress reports on the elimination of all illegal connections to the sanitary sewer collection system. The first annual progress report shall be submitted to the Department by **June 30, 2006**.

Plant monitoring records may be used to assess measurable infiltration and inflow. The following publications may be used for the evaluations:

(I) U.S.EPA publication, *I/I Analysis and Project Certification*, Publication No. 97-03. A copy may be obtained from the Publications Office, Department of Ecology, PO Box 47600, Olympia, WA 98504-7600; and

(II) *Infiltration-Inflow (I/I) Report Guidelines* available at the Department. A copy may be obtained from the Department of Ecology, Central Regional Office.

## **S5. OPERATION AND MAINTENANCE**

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

**A. Certified Operator**

An operator certified for at least a Class 1 plant by the State of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class 1 plant shall be in charge during all regularly scheduled shifts.

**B. Operation & Maintenance Program**

The Permittee shall institute an adequate O&M program for the entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

**C. Short-term Reduction**

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of its obligations under this permit.

**D. Electrical Power Failure**

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. The Permittee shall maintain Reliability Class II (EPA 430-99-74-001) at the wastewater treatment plant, which requires primary sedimentation and disinfection.

**E. Prevent Connection of Inflow**

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, basement pumps, foundation drains, etc.) to the sanitary sewer system.

**F. Bypass Procedures**

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system within 24 hours.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with Special Condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) if a water quality criteria exceedance is unavoidable, a request for modification of water quality standards as provided for in WAC 173-201A-110; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined

early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit;
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility; and
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

#### **G. O&M Manual**

The approved O&M Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this Manual.

The O&M Manual shall be reviewed by the Permittee at least annually. Substantial changes or updates to the O&M Manual shall be submitted to the Department whenever they are incorporated into the manual.

The O&M Manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure.
2. Plant maintenance procedures.

**S6. PRETREATMENT**

**A. General Requirements**

The Permittee shall work with the Department to ensure that all commercial and industrial users of the publicly owned treatment works (POTW) are in compliance with the pretreatment regulations promulgated in 40 CFR Part 403 and any additional regulations that may be promulgated under Section 307(b) (pretreatment) and 308 (reporting) of the Federal Clean Water Act.

**B. Wastewater Discharge Permit Required**

The Permittee shall not allow significant industrial users (SIUs) to discharge wastewater to the Permittee's sewerage system until such user has received a wastewater discharge permit from the Department in accordance with Chapter 90.48 RCW and Chapter 173-216 WAC, as amended.

**C. Identification and Reporting of Existing, New, and Proposed Industrial Users**

1. The Permittee shall take continuous, routine measures to identify all existing, new, and proposed SIUs and potential significant industrial users (PSIUs) discharging or proposing to discharge to the Permittee's sewerage system (see Appendix B of Fact Sheet for definitions).
2. Within 30 days of becoming aware of an unpermitted existing, new, or proposed industrial user who may be an SIU, the Permittee shall notify such user by registered mail that, if classified as an SIU, they shall be required to apply to the Department and obtain a State Waste Discharge Permit. A copy of this notification letter shall also be sent to the Department within this same 30-day period.
3. The Permittee shall also notify all PSIUs, as they are identified, that if their classification should change to an SIU, they shall be required to apply to the Department for a State Waste Discharge Permit within 30 days of such change.

**D. Duty to Enforce Discharge Prohibitions**

1. In accordance with 40 CFR 403.5(a), the Permittee shall not authorize or knowingly allow the discharge of any pollutants into its POTW which cause pass through or interference, or which otherwise violates general or specific discharge prohibitions contained in 40 CFR Part 403.5 or WAC-173-216-060.

2. The Permittee shall not authorize or knowingly allow the introduction of any of the following into the its POTW:
  - a. Pollutants which create a fire or explosion hazard in the POTW (including, but not limited to waste streams with a closed cup flashpoint of less than 140° Fahrenheit (F) or 60° Centigrade (C) using the test methods specified in 40 CFR 261.21).
  - b. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, or greater than 11.0 standard units, unless the works are specifically designed to accommodate such discharges.
  - c. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the POTW.
  - d. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
  - e. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through.
  - f. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems.
  - g. Heat in amounts that will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities such that the temperature at the POTW headworks exceeds 40° C (104° F) unless the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.
  - h. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.
  - i. Wastewaters prohibited to be discharged to the POTW by the Dangerous Waste Regulations (Chapter 173-303 WAC), unless authorized under the Domestic Sewage Exclusion (WAC 173-303-071).
3. All of the following are prohibited from discharge to the POTW unless approved in writing by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or the need to augment sewage flows due to septic conditions):
  - a. Noncontact cooling water in significant volumes.
  - b. Stormwater and other direct inflow sources.

- c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment, or would not be afforded a significant degree of treatment by the system.
4. The Permittee shall notify the Department if any industrial user violates the prohibitions listed in this section.

## **S7. RESIDUAL SOLIDS**

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

## **S8. SCHEDULE OF COMPLIANCE**

The Permittee shall verify to the Department that the facility's surface water discharge is in compliance with Total Maximum Daily Load, (TMDL) established limits for Crystal Creek. The limited parameters are BOD, TSS, Fecal Coliforms, pH and Chlorine. In addition, the Permittee shall conduct receiving water sampling during the critical flow period, in September and October as needed.

If the City has completed the project to discharge its wastewater to the City of Cle Elum Regional POTW and has ceased its discharge to Crystal Creek by **November 30, 2006**, this Schedule of Compliance shall be considered fulfilled by the Department.

### **A. Compliance Schedule For BOD, TSS, Fecal Coliforms, pH, Total Residual Chlorine Requirements**

1. Beginning on **January 1, 2006**, the Permittee shall implement measures to control pollutant concentrations to comply with the interim effluent limitations for BOD, TSS, Fecal Coliform, pH, Ammonia and Total Residual Chlorine.
2. By **November 30, 2006**, the Permittee shall comply with the final effluent limitation for BOD, TSS, Fecal Coliforms, pH, Ammonia and Residual Chlorine.

## GENERAL CONDITIONS

### G1. SIGNATURE AUTHORIZATION/DELEGATION

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by a person described above and submitted to the Department, and
  - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2. above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

## **G2. RIGHT OF INSPECTION AND ENTRY**

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law, to:

- A. Enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
- B. Have access to and copy at reasonable times and at reasonable cost any records required to be kept under the terms and conditions of this permit;
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit; and
- D. Sample or monitor at reasonable times any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

## **G3. PERMIT ACTIONS**

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

**The following are causes for terminating this permit during its term, or for denying a permit renewal application:**

- A. Violation of any term or condition of this permit;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination; [40 CFR part 122.64(3)]

- E. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by this permit; [40 CFR part 122.64(4)]
- F. Nonpayment of fees assessed pursuant to RCW 90.48.465; and
- G. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

**The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:**

- H. A material change in the condition of the waters of the State;
- I. New information not available at the time of permit issuance that would have justified the application of different permit conditions;
- J. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance;
- K. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision;
- L. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62;
- M. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines; or,
- N. Incorporation of an approved local pretreatment program into a municipality's permit.

**The following are causes for modification or alternatively revocation and reissuance:**

- O. Cause exists for termination for reasons listed in A. through G., above, of this section and the Department determines that modification or revocation and reissuance is appropriate; or
- P. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (Condition G8.) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

**G4. REPORTING A CAUSE FOR MODIFICATION**

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change to the facility or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

**G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department, for approval, in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least 180 days prior to the planned start of construction unless a shorter time is approved by the Department. Facilities shall be constructed and operated in accordance with the approved plans.

**G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

**G7. DUTY TO REAPPLY**

The Permittee shall apply for permit renewal at least 365 days prior to the specified expiration date of this permit.

**G8. TRANSFER OF THIS PERMIT**

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

**A. Transfers by Modification**

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or

revoked and reissued (under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d) , to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

**B. Automatic Transfers**

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them; and
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

**G9. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with this permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the such facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

**G10. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

**G11. DUTY TO PROVIDE INFORMATION**

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

**G12. OTHER REQUIREMENTS OF 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

**G13. ADDITIONAL MONITORING**

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

**G14. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

**G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully or negligently violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to \$10,000 and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful or negligent violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to \$10,000 for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

**G16. UPSET**

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met:

A Permittee who wishes to establish the affirmative defense of upset shall be required to demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: (1) an upset occurred and that the Permittee can identify the cause(s) of the upset; (2) the Permittee's treatment facility was being properly operated at the time of the upset; (3) the Permittee submitted adequate notice of the upset as required in Special Condition S3.E.; and (4) the Permittee complied with any remedial measures required under Special Condition S5. of this permit.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

#### **G17. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

#### **G18. DUTY TO COMPLY**

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for: (1) enforcement action; (2) permit termination, revocation and reissuance, or modification; or (3) denial of a permit renewal application.

#### **G19. TOXIC POLLUTANTS**

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

#### **G20. PENALTIES FOR TAMPERING**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

**G21. REPORTING PLANNED CHANGES**

The Permittee shall, as soon as possible, give notice to the Department of planned physical alteration or additions to the permitted facility, production increases, or process modifications which will result in: (1) the Permittee's facility being determined to be a new source pursuant to 40 CFR 122.29(b); (2) a significant change in the nature or an increase in quantity of pollutants discharged; or (3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, this permit may be modified or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation of the terms and conditions of this permit.

**G22. REPORTING ANTICIPATED NON-COMPLIANCE**

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least 180 days prior to commencement of such discharges, of any facility expansions, production increases or other planned changes such as process modifications, in the Permittee's facility or activity which may result in noncompliance with the limits or conditions of this permit. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

**G23. REPORTING OTHER INFORMATION**

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the Permittee shall promptly submit such facts or information.

**G24. REPORTING REQUIREMENTS APPLICABLE TO EXISTING  
MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL  
DISCHARGERS**

The Permittee belongs shall notify the Department as soon as it knows or has reason to believe:

- A. That any activity has occurred, or will occur, which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if such discharge will exceed the highest of the following "notification levels":

- (i) One hundred micrograms per liter (100 µg/L);
  - (ii) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony.
  - (iii) Five (5) times the respective maximum concentration value for a reported pollutant in this permit application in accordance with 40 CFR 122.21(g)(7); or
  - (iv) The respective level established by the Director in accordance with 40 CFR 122.44(f)
- B. That any activity has occurred, or will occur, which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if such discharge will exceed the highest of the following “notification levels”:
- (i) Five hundred micrograms per liter (500µg/L)
  - (ii) One milligram per liter (1 mg/L)
  - (iii) Ten (10) times the respective maximum concentration value for a reported pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
  - (iv) The respective level established by the Department in accordance with 40 CFR 122.44(f).

## **G25. COMPLIANCE SCHEDULES**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.